

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED
Jun 25 2020
SC Court of Appeals

Appeal from Newberry County

Honorable Donald B. Hocker, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

STERLING MAYBIN,

APPELLANT

APPELLATE CASE NO. 2019-001543

MOTION FOR AN EXTENSION OF TIME
IN WHICH TO FILE THE INITIAL BRIEF OF APPELLANT
AND DESIGNATION OF MATTER

Counsel for Sterling Maybin respectfully requests a **fifth and final thirty (30) day extension, until July 27, 2020**, in which to file the initial brief of appellant and designation of matter in the above-referenced case, due to the fact that counsel recently experienced a family medical emergency. This motion is made pursuant to the Order of the South Carolina Supreme Court dated March 18, 2009. In support of this request, counsel shows:

1. The initial brief of appellant and designation of matter in this case are due to be served and filed with the Court today. The Court has granted counsel four previous extensions.
2. Counsel for Sterling Maybin respectfully submits that extraordinary circumstances exist which warrant the granting of an additional extension of time, including the

fact that counsel recently experienced a family medical emergency. Given the number of extensions previously granted and the order in which counsel attempts to manage her caseload, counsel hopes that no further extension requests will be required.

3. Counsel filed the Anders brief of appellant and designation of matter in the case of The State v. Devontre Cortell Jackson with this Court on May 28, 2020. Counsel filed the petition for writ of certiorari and accompanying appendix in the case of Malikaih Taylor v. The State with the Supreme Court on May 27, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Ravon D. Hamer v. The State with the Supreme Court on May 13, 2020. Counsel filed the Johnson petition for writ of certiorari and accompanying appendix in the case of Candice R. Beasley v. The State with the Supreme Court on May 4, 2020. Counsel filed the petition for writ of certiorari and accompanying appendices in the case of Curtis T. Johnson v. The State with the Supreme Court on April 15, 2020.

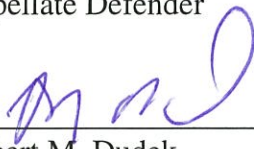
4. Counsel makes this request in good faith and not for purpose of delay. Counsel intends to continue to work on the cases with more than three extensions first so that the caseload will hopefully become more manageable in the near future, and less extensions will need to be requested.

5. Opposing counsel, the Attorney General's Office, has graciously consented to this extension request by way of the extended thirty-day general consent granted by Deputy Attorney General Donald J. Zelenka for all Appellate Defense extensions through June 30, 2020. That extended, emailed general consent was dated May 20, 2020.

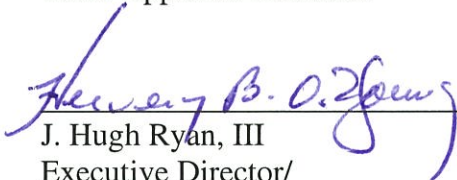
WHEREFORE, the undersigned counsel would respectfully request a **fifth and final thirty (30) day extension until July 27, 2020**, in which to file the initial brief of appellant and designation of matter in this case based upon the above exigent circumstances. Counsel requests that the time limits for filing the initial brief of appellant and designation of matter be held in abeyance pending a ruling on this motion.

Respectfully submitted,

s/ Sarah E. Shipe
Sarah Shipe
Appellate Defender



Robert M. Dudek
Chief Appellate Defender



J. Hugh Ryan, III
Executive Director/
Hervery B. O. Young
Deputy Director and General Counsel/
W. Lawrence Brown
Deputy General Counsel and Training
Director

This 25th day of June, 2020.

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CERTIFICATE OF SERVICE

Pursuant to the Supreme Court's Order "RE: Operation of the Appellate Courts During the Coronavirus Emergency," dated March 20, 2020, the undersigned hereby certifies a true copy of the motion for an extension of time, in which to file the initial brief of appellant and designation of matter in the above-referenced case has been served upon William M. Blicht, Jr., Esquire, at the primary e-mail address listed in the Attorney Information System (AIS), this 25th day of June, 2020.

s/ Sarah E. Shipe
Sarah E. Shipe
Appellate Defender

ATTORNEY FOR APPELLANT.